

**Dec 16, 2019**

SEAN F. McAVOY, CLERK

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

LINDA K.<sup>1</sup>,

Plaintiff,

vs.

ANDREW M. SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,<sup>2</sup>

Defendant.

No. 4:19-CV-05141-MKD

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

**ECF Nos. 14, 18**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 18,  
of the above-captioned matter to the Commissioner for additional administrative

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<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned  
identifies them by only their first names and the initial of their last names.

<sup>2</sup> Andrew M. Saul is now the Commissioner of the Social Security Administration.  
Accordingly, the Court substitutes Andrew M. Saul as the Defendant and directs  
the Clerk to update the docket sheet. *See* Fed. R. Civ. P. 25(d).

1 proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney Chad  
2 Hatfield represents Plaintiff. Attorney L. Jamala Edwards represents Defendant.

3 The parties have consented to proceed before a magistrate judge. ECF No. 6.

4 After consideration, **IT IS HEREBY ORDERED** that:

5 1. The District Court Executive is directed to substitute Andrew M. Saul as  
6 the Defendant and update the docket sheet.

7 2. The parties' Stipulated Motion for Remand, **ECF No. 18**, is **GRANTED**.

8 3. The above-captioned case be **REVERSED** and **REMANDED** to the  
9 Commissioner of Social Security for further administrative proceeding pursuant to  
10 sentence four of 42 U.S.C. § 405(g).

11 On remand, the parties stipulate that the ALJ will:

- 12 (1) Offer Plaintiff the opportunity to submit additional evidence and  
13 arguments;  
14 (2) Further evaluate the opinion evidence as a whole;  
15 (3) If warranted, obtain evidence from a medical expert to clarify the nature,  
16 severity, and effects of Plaintiff's impairments;  
17 (4) Reevaluate Plaintiff's education level;  
18 (5) Seeks supplemental vocational expert evidence, if necessary, on whether  
19 Plaintiff can perform work with her assessed limitations;  
20 (6) If a fully favorable decision cannot be granted on the record, give  
Plaintiff an opportunity for a new hearing; and  
(7) Issue a new decision after a de novo review.

ECF No. 18 at 1-2.

4. Judgment shall be entered for **PLAINTIFF**.

1           5. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is **STRICKEN**  
2 **AS MOOT.**

3           6. Upon proper presentation, this Court consider Plaintiff's application for  
4 fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

5           The District Court Executive is directed to enter this Order, **enter**  
6 **Judgment**, forward copies to counsel, and **CLOSE THE FILE.**

7           DATED December 16, 2019.

8                               s/Mary K. Dimke  
9                               MARY K. DIMKE  
10                              UNITED STATES MAGISTRATE JUDGE